

REMARKS:

The Office action mailed January 14, 2003 has been received and carefully considered. Reconsideration of the application as amended hereby is respectfully requested.

The various claims have been rejected based on Gourney or Gourney in combination with Cotrel.

The key concept of the present invention is to have a driving or torquing head with an external grippable surface for torquing the device to a preselected torque and then breaking off along with a removal head with an external gripping surface that is accessible once the torquing head breaks away and especially wherein the gripping surfaces for driving and for removal cannot be accidentally accessed by the same tool, so that the device is thereby not overtorqued because the driving tool that is driving the break off head accidentally engages the removal head.

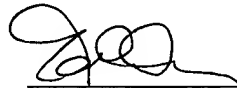
It is acknowledged that the Gourney reference teaches a break off head. It is also acknowledged that Gourney indicates in a basket disclosure that the removal "print" can be external as well as external, even though there is no suggestion as to how to make the print external, since it would interfere with the threads of Gourney. However, even if Gourney does teach placement of the "print" external, more importantly there is no teaching or suggestion to make the external gripping surface of the torquing head different from that of the removal external

surface of the head in order to avoid inadvertent driving of the removal head by the tool installing the torquing head. Gourney does not encounter the problem of both surfaces being on the exterior, since Gourney only shows having the torquing surface external and the removal surface internal. There is no teaching found anywhere in Gourney that the too external surfaces must be different in order to avoid the noted problem. The Cotrel reference also makes no such teaching.

The Claims have been amended to emphasize this concept and are clearly urged to distinguish over Gourney or Gourney in combination with Cotrel and are therefore urged to now be allowable.

The Examiner is invited to contact the undersigned by telephone, if prosecution of this application can be expedited thereby.

Respectfully Submitted,



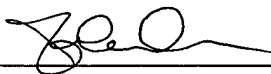
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Roger P. Jackson
(Applicant)

By



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(Date of Signature)

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